European Patent Office

LACK OF UNITY OF INVENTION
SHEET B

Application Number
EP 00 94 6404

The Search Division considers that the present European patent application does not comply with the requirements of unity of invention and relates to several inventions or groups of inventions, namely:

1. Claims: 1-3, 8-10, 15-16

   A cholesterol-lowering agent containing at least one yeast as an active ingredient, as well as the manufacture of a food or drink containing such cholesterol-lowering agent(s)

2. Claims: 4-7, 11-14, 17-19

   A secondary bile acid production inhibitor containing a yeast as an active ingredient, use of said yeast for the manufacture of a secondary bile acid production inhibitor

The present application relates to cholesterol-lowering agent capable of lowering the blood/hepatic cholesterol level, containing as an active ingredient at least one yeast belonging to Candida, Issatchenkia, Hanseniaspora, Kloeckera, Kluyveromyces, Pichia or Torulospora.
The present application furthermore concerns the use of a yeast as a secondary bile acid production inhibitor in the treatment of colorectal and liver cancer, pancreatic cancer or bile duct cancer or cholelithiasis.
The use of Candida keyfr (FERM P-10731) and Candida tenuis producing an acidic polysaccharide having cholesterol adsorbing capacity is known from JP-A-03030667 (Snow Brand Milk Products Co. Ltd.). Moreover, US-A-4 251 519, discloses the use of yeast glycan (Saccharomyces, Kluyveromyces) for preventing the increase of cholesterol and triglycerides in the blood of humans/animals.
As the use of cholesterol-lowering agents containing as active ingredient a yeast according to the present application is known in the prior art, the subjects as defined above are no longer linked by a common inventive concept involving a special technical/physiological feature in the sense of Art. 30 EPC.
Therefore the application lacks unity à posteriori.

As searching the other invention(s) would have caused a major additional searching effort, only the first invention was searched.

ATTACH TO 10/031569
REJECTION 11/05/03